

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

TRUSTEES OF THE NATIONAL	)	
ELEVATOR INDUSTRY PENSION	)	
FUND,	)	
	)	
PLAINTIFF,	)	
	)	
v.	)	CASE NO. 2:08-cv-162-MEF
	)	
DALLAS CAVINESS, D.C. c/o RHONDA	)	
CAVINESS, <i>et al.</i> ,	)	
	)	
DEFENDANTS.	)	

**ORDER**

Upon consideration of the Motion for Summary Judgment (Doc. # 30), filed July 25, 2008, by Dallas C. Caviness and Rhonda Caviness, it is hereby

ORDERED that the motion be submitted without oral argument on August 19, 2008.

It is further ORDERED that defendant Robert W. Caviness shall file a response which shall include a brief and any evidentiary materials on or before August 12, 2008. Dallas C. Caviness and Rhonda Caviness may file a reply brief on or before August 19, 2008.

*The parties are advised that if they electronically file exhibits in support of or in opposition to this motion and those exhibits total more than twenty-five (25) pages, they are required to submit a paper courtesy copy of the exhibits to the Chambers of the undersigned.*

DONE this the 29<sup>th</sup> day of July, 2008.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE